

**REMARKS**

Claims 22-49 are pending. By this Amendment, claims 22-26, 29-33, 36-40, 43, 44, 46 and 47 are amended. No new matter is added.

Claims 22-26, 29-33, 36-40, 43, 44, 46 and 47 are amended to improve form. Support for the claims is found in the disclosure as originally filed.

It is respectfully submitted that entry of the amendments is proper as the amendments would place the application in condition for allowance or at least present the claims in better form for appeal. Further, the amendments do not raise new issues, and do not require more than nominal consideration by the Examiner.

For the following reasons, reconsideration is respectfully requested.

**Claim objections**

Claims 22, 29, 36 and 43 are objected to. To expedite prosecution, claims 22, 29, 36 and 43 are amended. Withdrawal of the objection is respectfully requested.

**Claim rejection – 35 U.S.C. § 101**

Claims 22-28 and 36-42 are rejected under 35 U.S.C. § 101. Claims 22 and 36 are amended to obviate the rejection and to expedite prosecution. Withdrawal of the rejection is respectfully requested.

**Claim rejection – 35 U.S.C. § 103**

Claims 22-24 and 28 are rejected under 35 U.S.C. § 103 over Tozaki et al., (U.S. Patent No. 7,393,081), in view of Weijenbergh et al., (U.S. Patent No. 7,248,555).

Claims 25 and 26 are rejected under 35 U.S.C. § 103 over Tozaki, in view of Weijenbergh, and further in view of Mishima et al., (U.S. Patent No. 7,343,083).

Claim 27 is rejected under 35 U.S.C. § 103 over Tozaki, in view of Weijenbergh, and further in view of Kojima (U.S. Patent No. 5,953,484).

Additionally, claims 29-35 are rejected on the same grounds as claims 22-28, claims 36-42 are rejected on the same grounds as claims 22-28, and claims 43-49 are rejected on the same grounds as claims 36-42. The rejections are respectfully traversed.

It is respectfully submitted that Tozaki and Weijenbergh, either individually or in combination, fail to disclose or suggest a method of recording data on a recording medium, the method comprising: (a) recording a control information on a lead-in area of the recording medium, the control information including a playback speed information and a maximum transfer rate information specifying a maximum transfer rate needed by an application, wherein the maximum transfer rate information is represented by a bit rate, the playback speed information is distinguished from the maximum transfer rate information, a playback speed by the playback speed information is for suitably reproducing a main data, and the playback speed information is recorded in one byte long field and is represented by a multiplication of a basic speed information; and (b) recording main data in a main data area of the recording medium, as recited in claim 22.

Also, is respectfully submitted that Tozaki and Weijenbergh, either individually or in combination, fail to disclose or suggest each and every feature of claims 29, 36 and 43, which recite similar features of varying scope.

In addition to the deficiency of Tozaki that is acknowledged by the Examiner in the Office Action, it is submitted that Tozaki is additionally deficient for the following reasons.

Specifically, the Examiner alleges that in Tozaki, “the physical format information (202) also includes one byte information (212) indicating the disk size and the lowest reading rate, wherein, the lowest reading rate is able to be set to either one of the maximum value of the reading rate and a reading rate equal to the maximum value multiplied by  $1/2n$ , which reads on” the feature of the “playback speed information that is represented by one byte information and is represented by a multiplication of a basic speed, not by a bit rate”.

However, the disclosed “reading rate” of Tozaki represents the velocity for reading data from the disc, but, the recited “playback speed” of claim 22 represents the velocity for reproducing the disc. Therefore, the object of Tozaki is different from the object of recited feature of the present invention.

Weijenbergh fails to remedy not only the additional deficiency of Tozaki, but fails to remedy even the acknowledged deficiency of Tozaki, because Weijenbergh discloses a “maximum transfer rate” that is 4 bits. Moreover, both the “maximum transfer rate” and the disc size of Weijenbergh are represented together as one byte in an identical field (byte number 1 in figure 7 of Weijenbergh, see also page 14, line 8 of Weijenbergh).

In contrast, the recited “playback speed”, as recited in claim 22 is itself 1 byte, and further, the “playback speed information” and the “disc size” exist as different fields in the present invention. (Refer to the following table that compares the invention to Weijenbergh)

The present invention			The cited reference Weijenbergh		
FIG. 5			6/19		
<i>DI (Disc Information) Table</i>			Byte number	Content	Number of bytes
0	Disc Information identifier = "DI"	2	0	Disc Category and Version Number	1
2	DI format	1	1	Disc size	1
3	Reserved = 00h	1	2	Disc structure	1
4	Number of DI frames in each DI Block	1	3	Recording density	1
5	DI Frame sequence number in DI Block	1	4 to 15	Data Zone allocation	12
6	Number of DI bytes in use in this DI Frame	1	16	Set to (00)	1
7	Reserved = 00h	1	17 to 18	Reserved - All (00)	2
8 to 10	disc type identifier = "BDO"	3	19 to 26	Disc Manufacturer ID	8
11	disc size / version	1	27 to 29	Media type ID	3
12	disc structure	1	30	Product revision number	1
13	channel bit length	1	31	number of Physical format information bytes in use	1
14 to 15	Reserved = all 00h	2	32	Reference recording velocity	1
16	BCA descriptor	1	33	Maximum recording velocity	1
17	maximum transfer rate of application	1	34	Wavelength $\lambda_{RIN}$	1
18 to 23	Reserved = all 00h	6	35	(TBD)	
24 to 31	Data zone allocation	8	36	Maximum read power at reference velocity	1
32 to 111	Reserved = all 00h	13	37	$P_{RIN}$ at reference velocity	1
			38	$B_{RIN}$ at reference velocity	1
			39	Maximum read power at maximum velocity	1
			40	$P_{RIN}$ at maximum velocity	1
			41	$B_{RIN}$ at maximum velocity	1
			42	$T_{100}$ (24) first pulse duration for $cm^{-1} \geq 4$ at reference velocity	1
			43	$T_{100}$ (=3) first pulse duration for $cm^{-1} \geq 3$ at reference velocity	1
			44	$T_{100}$ multi pulse duration at reference velocity	1
			45	$T_{10}$ last pulse duration at reference velocity	1
			46	$dT_{100}$ first pulse lead time at reference velocity	1
			47	$dT_{10}$ 1 <sup>st</sup> pulse leading edge correction for $ps^2 \sim 3$	1
			48	$T_{100}$ (24) first pulse duration for $cm^{-1} \geq 4$ at maximum velocity	1
			49	$T_{100}$ (=3) first pulse duration for $cm^{-1} \geq 3$ at maximum velocity	1
			50	$T_{100}$ multi pulse duration at maximum velocity	1
			51	$T_{10}$ last pulse duration at maximum velocity	1
			52	$dT_{100}$ first pulse lead time at maximum velocity	1
			53	$dT_{10}$ 1 <sup>st</sup> pulse leading edge correction for $ps^2 \sim 3$	1
			54 to 255	Reserved - All (00)	202

Thus, based on all of the above, Weijenbergh fails to remedy the deficiencies of Tozaki.

Accordingly, Tozaki and Weijenbergh, either individually or in combination, fail to disclose or suggest each and every feature of claim 22, and Tozaki and Weijenbergh, either individually or in combination, fail to disclose or suggest each and every feature of claims 29, 36 and 43 reciting similar features of varying scope. Based on all of the above, claims 22, 29, 36 and 43 are patentably distinguishable over the applied references and their combination.

Further, it is respectfully submitted the additional rejections noted in the Office Action have also been overcome as the claims rejected therein are dependent claims and additionally

applied references also do not teach or suggest the features recited in the corresponding independent claims.

**CONCLUSION**

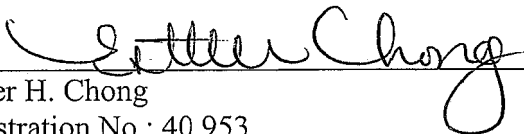
In view of the above amendment and/or remarks, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Seth S. Kim, Reg. No. 54,577, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

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